

STATE OF WEST VIRGINIA
COUNTY OF MARSHALL, to-wit:

I, Jerry Whorton, of RD 1, Box 377, Moundsville, WV 26041, being of lawful age and being duly sworn, state that for the past 72 years I have been very familiar with the use and occupancy of that certain tract of land described as follows, to wit:

Legal Description: Subject lands situate in the Liberty District, Marshall County, West Virginia, being .20661 acres, more or less, Tax Map 17, Parcels 31 & 32

The Lands were subject to the following Oil and Gas Leases (the "Leases"):

a. Oil and Gas Lease dated January 18, 1895, of record in Deed Book 49, at Page 143, by and between F.M. Gray and Jane Gray, his wife, as lessor, and South Penn Oil Co., as lessee, for the primary term of five (5) years.

b. Oil Lease dated June 29, 1897, of record in Deed Book 56, at Page 212, by and between F.M. Gray and Jane Gray, his wife, as lessor, and F.L. Davis, as lessee, for the primary term of five (5) years.

c. Oil and Gas Lease dated June 29, 1900, of record in Deed Book 74, at Page 331, by and between F.M. Gray and Jane Gray, his wife, as lessor and F.L. Davis, as lessee, for the primary term of ten (10) years.

d. Oil and Lease dated November 12, 1909, of record in Deed Book 132, at Page 535, by and between Jason Gray and Mary E. Gray, as lessor, and The Wheeling Natural Gas Company, as lessee, for the primary term of ten (10) years ("Subject Lease"). All of said lessee's real property and leases were assigned to The Manufacturer's Light & Heat Company by that instrument dated May 29, 1915, of record in Assignment Book 3, at Page 40. By that instrument dated May 29, 1915, of record in Deed Book 148, at Page 389, The Wheeling Natural Gas Company assigned the subject lease to The Manufacturers Light & Heat Company. By that instrument dated December 31, 1929, of record in Deed Book 197, at Page 120, the Manufacturers Light & Heat Company assigned the oil rights in the subject lease to Union Gasoline & Oil Corporation. By that instrument dated December 31, 1949, of record in Assignment Book 2, at Page 136, the Union Gasoline & Oil Corporation assigned the oil rights in the subject lease to the The Preston Oil Company. By that instrument dated December 31, 1951, of record in Assignment Book 2, at Page 225, The Preston Oil Company quit-claimed all of its right, title and interest in the subject lease to the Manufacturers Light & Heat Company.

That I know of my own knowledge that no oil and/or gas is currently being produced under the terms of the aforesaid Leases upon any of the above described property; that to my knowledge no royalties are currently being paid pursuant to the aforesaid Leases on the above described property; and that I know to the best of my own knowledge that the aforesaid Leases have heretofore been abandoned, surrendered and otherwise terminated.

I further state that I know to the best of my own knowledge that no production of oil and/or gas is currently being produced pursuant to the aforesaid Leases on other property covered by said Leases, if any, or other property pooled or unitized therewith, if any.

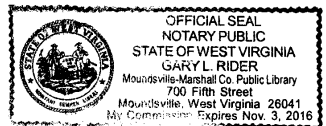
Further Affiant sayeth naught.

Executed this 3 day of September, 2009

Jerry Whorton

ACKNOWLEDGEMENT

STATE OF WV }
COUNTY OF MARSHALL } SS:



On the 3rd day of SEPTEMBER, 2009, before me personally came the above named: JERRY S. WHORTON, being person(s) known to me to be the same person(s) described herein and who acknowledge having executed the foregoing instrument.

My commission expires Nov 3 2016

Gary L Rider
Signature / Notary Public

GARY L RIDER
Name / Notary Public (print)

County Recorder: Please return recorded document to Mason Dixon Energy, Inc., 101 Cambridge Place, Br

JAN PEST
MARSHALL County 01:25:30 PM
Instrument No 1275938
Date Recorded 10/14/2009
Document Type O&G
Book-Page 686-587
Recording Fee \$5.00
Additional \$6.00

STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 3rd day of September, 2009, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 14th day of October, 2009 at 1:25 o'clock P.M.

TESTE:

Jan Pest

Clerk.